

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DUSTIN DERRICK PARSLEY,

Defendant.

Case No. CR07-94-RSL

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on December 5, 2012. The defendant appeared and is in custody pursuant to a warrant issued in this case. The United States was represented by Katheryn Frieson, and defendant was represented by Amy Muth. Also present was U.S. Probation Officer Jerrod Akins. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on October 19, 2007 by the Honorable Robert S. Lasnik for Bank Fraud. He received 12 months and 1 day of detention and 3 years of supervised release.

On December 17, 2010, violations of supervised release were filed including consuming marijuana, committing the crime of possession of a controlled substance, felony harassment

1 involving his wife, and failing to report a change in residence. On July 7, 2011, his term of
2 supervision was revoked and he was sentenced to a 12 month term of custody followed by a four
3 year term of supervised release on violations including consuming marijuana, committing the
4 crime of possession of a controlled substance, and failing to report a change in residence. The
5 violation pertaining to felony harassment was withdrawn. He was ordered to abide by all
6 standard conditions of supervision, as well as the following special conditions: abstain from the
7 use of alcohol and/or all intoxicants during the period of supervision; participate in substance
8 abuse treatment as directed; submit to search; shall not possess a firearm; provide his probation
9 officer with access to any requested financial information; restitution in the amount of \$19,200;
10 no self employment or employment with friends without prior approval of the U.S. Probation
11 Office; do not possess any form of identification in any other name; and 120 days in a residential
12 reentry center.

13 Mr. Parsley was released from custody on May 15, 2012, and his supervision term expires
14 on may 14, 2016.

15 PRESENTLY ALLEGED VIOLATIONS

16 In a petition dated November 16, 2012, U.S. Probation Officer Calvin K. Bouma Jr. alleged
17 that defendant violated the following conditions of supervised release:

- 18 1. Committing the crime of Domestic Violence Assault in the Fourth Degree on or before
19 October 25, 2012, in violation of the general condition he not commit another federal,
20 state, or local crime.
- 21 2. Committing the crime of Domestic Violence Malicious Mischief in the Third Degree
22 on or before October 25, 2012, in violation of the general condition he not commit
23 another federal, state, or local crime.

FINDINGS FOLLOWING EVIDENTIARY HEARING

Defendant admitted the above violations, waived any hearing as to whether they occurred, and was informed the matter would be set for a disposition hearing December 11, 2012, before District Judge Robert S. Lasnik.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that defendant has violated the conditions of his supervised release as alleged above, and conduct a disposition hearing.

DATED this 5th day of December, 2012.



BRIAN A. TSUCHIDA
United States Magistrate Judge